



Docket No.: 1454.1095

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Thomas OSTERTAG et al.

Serial No. 09/914,842

Group Art Unit: 2616

Confirmation No. 4376

Filed: September 4, 2001

Examiner: Duc Chi Ho

For: FREQUENCY DIVISION MULTIPLEX TRANSMITTER AND METHOD FOR
ELIMINATING CROSSTALK

COMMENTS ON REASONS FOR ALLOWANCE

On page 2 of the Notice of Allowability attached to the Notice of Allowance, the Examiner sets forth his reasons for allowing the application. However, there are discrepancies between the reasons for allowance and the limitations of the independent claims. For example, the Examiner characterizes the independent claims as requiring a mixer supplied by the local oscillator. However, independent claim 9 does not require a mixer supplied by the local oscillator.

The Reasons for Allowance appear to be an attempt to briefly summarize the limitations of each of the independent claims. Clearly, this is a difficult task. It is believed that the discrepancies between the reasons for allowance and the limitations of the independent claims are reflection of the difficulty of the task, not an indication of a misunderstanding on the part of the Examiner. It is believed that the Examiner understands the limitations of the independent claims and has allowed the application for the appropriate reasons. Clearly, the scope of the claims is defined by the language thereof, but not by any statements in the Reasons for Allowance.

If there are any questions regarding the meaning of the claims or there is any other confusion, the Examiner is requested to immediately telephone the undersigned.

Respectfully submitted,

STAAS & HALSEY LLP

Date: Sept 7 2006

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